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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

7 BRUCE CORKER d/b/a RANCHO ALOHA, *et al.*

8 Plaintiffs,

9 v.

10 COSTCO WHOLESALE CORPORATION, *et al.*

11 Defendants.
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CASE NO. 2:19-cv-00290-RSL

**ORDER GRANTING PLAINTIFFS’
SECOND MOTION TO COMPEL
PRODUCTION OF DOCUMENTS
BY DEFENDANT MULVADI
CORPORATION**

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15 This matter comes before the Court on “Plaintiffs’ Second Motion to Compel Production
16 of Documents by Defendant Mulvadi Corporation.” Dkt. # 433. Having reviewed the
17 memoranda, declarations, and exhibits submitted by the parties,¹ Mulvadi’s objections are
18 overruled, and the second motion to compel is GRANTED. Whether Mulvadi’s ESI is the best
19 evidence of the company’s purchase and sales activities does not determine whether it is
20 discoverable. QuickBooks provides functionality not found in stacks of paper documents, acts as
21 a check on the sufficiency of the paper production, and likely capture additional information not
22 contained in the paper purchase and sale documents that have already been produced. Mulvadi
23 offers no justification for its unilateral decision to produce only three years’ worth of documents,
24 to exclude coffee sales simply because the product is “instant,” or to search only a few of its
25 acknowledged ESI repositories.

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27 ¹ The relevance of the electronically-stored information (“ESI”) at issue is not disputed. Neither Mulvadi’s
discussion of the merits of plaintiffs’ claims nor plaintiffs’ reply thereto is helpful in resolving the current discovery
dispute. The Court has not, therefore, considered Section V of the reply memorandum (Dkt. # 442) or the evidence
cited therein.

1 For all of the foregoing reasons, it is hereby ORDERED that defendant Mulvadi
2 Corporation shall, within twenty-one days of the date of this Order:

- 3 1. Perform a comprehensive ESI search for responsive documents on all sources (including
4 email accounts, computers, external backup servers, cell phones, *etc.*, used for company
5 business) from February 27, 2015, to the present;
- 6 2. Disclose the search terms, queries, and methodologies used to locate responsive ESI;
- 7 3. Produce all responsive ESI, including documents concerning freeze-dried coffee labeled
8 “Kona;” and
- 9 4. Provide plaintiffs’ experts access to its complete QuickBooks data.

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11 The Court declines to award sanctions at this time. If Mulvadi fails to comply with this Order,
12 plaintiffs may renew their request as to past and continuing discovery violations. Sanctions shall
13 be imposed against Defendant Mulvadi Corporation in an amount to be

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15 Dated this 6th day of July, 2021.

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17 ROBERT S. LASNIK
18 UNITED STATES DISTRICT JUDGE
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